



**UNITED STATES PATENT AND TRADEMARK OFFICE**

**COMMISSIONER OF PATENTS**

May 5, 2005

David J. Ridders  
Brown Rudnick Berlack Israels  
One Financial Center  
Boston, MA 02111

In re Application of:  
Reynolds e. Moulton, III  
Serial No: 10/772,073                      On Petition  
Filing Date: February 4, 2004  
For: SELF-PROPELLED PET TOY

In response to the petitions received by fax on March 1, 2005, to withdraw the holding of abandonment in the above application.

The petition is Granted.

The above-identified application became abandoned for failure to reply with the meaning of 37 C.D.R 1.113 in a timely manner to the Notice to File Missing Parts of Nonprovisional Application mailed May 10, 2004. Which set forth a shortened statutory period for reply of two months. Accordingly, the above-identified application became abandoned July 13, 2004. The notice of abandonment was mailed on June 7, 2004.

The evidence submitted is sufficient to establish that the petitioners responded to the Notice to File Missing Part of Nonprovisional Application on June 3, 2004.

The application was abandoned in error. The office regrets any inconvenience this may have caused the client.

Telephone inquiries concerning this application may be directed to Doshie E. Day (703) 308-3640.

A handwritten signature in cursive script, appearing to read "Doshie E. Day", is written over the printed name.

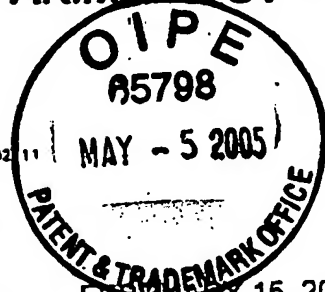
Doshie E. Day  
Program Management Assistant  
Office of Initial Patent Examination

BR  
BT

BROWN  
RUDNICK  
BERLACK  
ISRAELS LLP

One Financial Center  
Boston, Massachusetts 02111  
617.856.8200  
fax 617.856.8201  
www.brownrudnick.com

AKIMA-DTSV U 1 MAR 2005



Fax  
Facsimile

TRANSMITTAL DATE

FEBRUARY 15, 2005

THIS TRANSMISSION CONSISTS OF THIS COVER SHEET AND 20 PAGE(S)

ORIGINAL DOCUMENT TO FOLLOW: YES ☐ NO ☒

If you do not receive all pages, please call Office Services at 617.856.8200

FAX NUMBER 703 308 7751.

ATTENTION OF OIPE CUSTOMER SERVICE - U.S. PATENT & TRADEMARK OFFICE

TELEPHONE NUMBER

FROM David J. Ridders

DIRECT DIAL 617.856.8382

Best Available Copy

C/M/A 21548/5 / 2581

MESSAGE

RE: ATTY. DOCKET NO. 21548/005 - U.S. SERIAL NO. 10/772,073

ATTACHED PLEASE FIND: PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(A).

# 1329528 v1 - 021548/0005

**CONFIDENTIALITY NOTICE**

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Alexandra House  
Ballsbridge, Dublin 4 IRL  
+353 1 204 1790

CityPlace I  
Hartford, CT 06103  
RRO 508.6500

8 Clifford Street  
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120 West 45<sup>th</sup> Street  
New York, NY 10036  
212.704.0100

121 South Main Street  
Providence, RI 02903  
401.278.2600

1201 Pennsylvania Ave NW Suite 325  
Washington, DC 20004  
202.347.2222

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SELF-PROPELLED PET TOY

the specification of which was filed on February 4, 2004 as Application No. 10/772073.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at Lahive & Cockfield, LLP, 28 State Street, Boston, Massachusetts 02109, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

- ☒ no such foreign applications have been filed
- ☐ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☐ no such U.S. provisional applications have been filed.

☒ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/444782	February 4, 2003	<u>x</u> Yes No ___
		___ Yes No ___
		___ Yes No ___

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 00959 (listed here):

James E. Cockfield	19,162	Jeremiah Lynch	17,425	Danielle L. Hermit	43,670
Thomas V. Surczynski	24,798	David J. Rikkers	43,882	Cynthia M. Sorros	53,623
Ralph A. Loren	29,325	*Mara Lemtzip, Esq., Ph.D.		Jonathan M. Sparks, Ph.D.	53,624
Giulio A. DeConti, Jr.	31,503	Debra J. Mikasinski	46,931	Merideth C. Arnold	52,568
Elizabeth A. Hanley	33,505	David R. Burns	46,590	Peter W. Dini, Ph.D.	52,821
Amy E. Mamragouras	36,207	Scam D. Denweiler	42,482	Andrina Williams	54,539
Anthony A. Lauremano	38,220	Cymbin L. Kanik, Ph.D.	37,520	John D. Lanza	40,060
Kevin J. Cannibg	35,470	Theodore R. West	47,202	Cristin E. Howley, Ph.D.	55,281
June E. Renullard	38,872	Hathaway Pence	46,438	Jill A. Mello, Ph.D.	55,450
DeAnn F. Smith	36,683	John S. Curran	50,445	Michael J. Bastian, Ph.D.	47,411
Jeanne M. DiGiorgio	41,710	Lisa M. DiRocco	31,619	Christopher J. McKenna	53,305
Megan E. Williams	43,270				

\* Limited Recognition Under 37 C.F.R. § 10.9(b)

all of Lahive & Cockfield, LLP, 28 State Street, Boston, Massachusetts 02109, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to David J. Rikkers at Customer Number 00959, whose address is:

Lahive & Cockfield, LLP  
28 State Street  
Boston, Massachusetts 02109

Please direct telephone calls to: David J. Ridders at (617) 227-7400.

Please direct facsimiles to: (617) 742-4214

Full name of sole or first inventor <b>Reynolds E. MOULTON, III</b>	
Sole or first inventor's signature <i>Reynolds E. Moulton</i>	Date <b>7.20.04</b>
Residence <b>New York, New York</b>	
Citizenship <b>US</b>	
Mailing Address <b>105 East 63rd Street #5B New York, New York 10021</b>	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Reynolds E. Moulton, III      Conf. No.: 4526  
Application No.: 10/772,073      Group Art Unit: 3643  
Filed: February 4, 2004      Examiner: Not yet Assigned  
For: SELF-PROPELLED PET TOY

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT  
UNDER 37 CFR 1.181(A)

CERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by Facsimile to: 1-703-308-7751, OIPE Customer Service, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By:

  
Karen L. Corey

February 15, 2005

Date

OIPE Customer Service  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant received a Notice of Abandonment under 37 CFR 1.53(f) or (g) stating that the above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts mailed on 5/10/04. In response to the Notice of Abandonment, Applicant hereby submits a Petition to Withdraw the Holding of Abandonment under 37 CFR 1.181(a).

In support of this Petition, Applicant submits the following as proof that a Response to the Notice to File Missing Parts was timely filed on June 3, 2004:

1. Copy of Notice of Abandonment Under 37 CFR 1.53(f) or (g) (2 pp.);
2. Auto-Reply Facsimile Transmission received from the U.S. Patent & Trademark Office dated June 3, 2004 acknowledging receipt of 11 pages of Response to Notice to File Missing Parts (1 pg.);

3. Copy of Lahive & Cockfield outgoing Fax Confirmation indicating that 11 pages were transmitted to the U.S. Patent and Trademark Office on June 3, 2004;
4. Response to Notice to File Missing Parts, as filed on June 3, 2004 (11 pp.); and
5. Copy of Revocation of Power of Attorney filed on October 12, 2004 (3 pp.).

To ensure that the Examiner has a complete file at the time of action on this case, Applicant also notes that subsequent to the timely-filed Response to Missing Parts, Applicant filed a Revocation of Previous Power of Attorney and a Change of Correspondence Address on October 12, 2004, an Information Disclosure Statement on December 10, 2004, and a Preliminary Amendment on January 21, 2005.

Applicant respectfully requests that the Commissioner consider the present petition which is submitted in order to withdraw the holding of abandonment. No fees are believed to be due, however, please charge Deposit Account No. 500369 for any fee necessary.

Respectfully submitted,

Brown Rudnick Berlack Israels LLP



Date: February 15, 2005

David J. Ridders, Esq.  
Registration No. 43,882  
Customer No. 21710  
Brown Rudnick Berlack Israels LLP  
One Financial Center  
Boston, MA 02111  
Tel: (617) 856-8382  
Fax: (617) 856-8201





UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 37(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/772,073	02/04/2004	Reynolds E. Moulton III	DGP-005

CONFIRMATION NO. 4526

**ABANDONMENT/TERMINATION  
LETTER**
  
 \*OC000000015131232\*

David J. Rikkers, Esq.  
 Brown Rudnick Berlack Israels LLP  
 One Financial Center  
 Boston, MA 02111

Date Mailed: 02/08/2005

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/10/2004.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(i); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37

CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

---

*A copy of this notice MUST be returned with the reply.*

2134  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

## Auto-Reply Facsimile Transmission

fax copy for  
file / working attorney



TO:

Fax Sender at 6177424214

Fax Information

Date Received:

Total Pages:

6/3/2004 10:34:11 AM [Eastern Daylight Time]

11 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

=====>

FAX TRANSMISSION	
DATE: June 3, 2004	
PTO IDENTIFIER: Application Number 30/778,073-Cont. Notice Priority Number	
Inventor: Reynolds G. MOULTON, III	
MESSAGE TO: Office of Initial Patent Examination	
FAX NUMBER: (703) 612-6306	
FROM: LAHIVE & COCKFIELD, LLP David J. Rinkens	
PHONE: (617) 227-7400	
Address ID #: DCP-008	
PAGES (including Cover Sheet): 11	
CONTENTS: Part 1 Copy of Notice (2 pages); Fee Transmittal, in duplicate (2 pages); Response to Notice to File Missing Parts of Application (2 pages); and Combined Declaration and Powers of Attorney (4 pages). Charge \$63.00 to deposit account 12-0080.	
If your receipt of this transmission is in error, please notify this firm immediately by return call or under at (617) 227-7400 and send the original transmission to us by return mail at the address below.	
This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.	
LAHIVE & COCKFIELD, LLP 38 State Street, Boston, MA 02102 Telephone: (617) 227-7400 Facsimile: (617) 742-4374	

PAGE 1/11 - RCD AT 6/3/04 10:34:11 AM [Eastern Daylight Time] - SYSTEM TO 6177424214 - PAGES 27/000 - CDS 07/01/01 - ORIGINAL PAGE 01/01

# Confirmation Report-Memory Send

Time : Jun-03-04 09:39  
Tel line 1 : 6177424214  
Tel line 2 : 6177424214  
Name : LAHIVE & COCKFIELD, LLP

Job number : 110  
Date : Jun-03 09:33  
To : 20899H17038729306-99  
Document Pages : 11  
Start time : Jun-03 09:33  
End time : Jun-03 09:39  
Pages sent : 11  
Job number : 110

\*\*\* SEND SUCCESSFUL \*\*\*

FAX TRANSMISSION	
DATE:	June 3, 2004
PTO IDENTIFIER:	Application Number 10/772,073-Conf. #2526 Patent Number
INVENTOR:	Reynolds E MOULTON, III
MESSAGE TO:	Office of Initial Patent Examination
FAX NUMBER:	(709) 472-9306
FROM:	LAHIVE & COCKFIELD, LLP David J. Rikher
PHONE:	(617) 227-7400
ATTORNEY OLT. NO:	DOP-005
PAGES (including Cover Sheet):	11
CONTENTS:	Part 2 Copy of Notice (2 pages); Fee Transmittal, in duplicate (2 pages); Response to Notice to File Missing Parts of Application (2 pages); and Combined Declaration and Power of Attorney (4 pages). Charge \$63.00 to deposit account 12-0080.
<p>If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.</p> <p>This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.</p> <p>LAHIVE &amp; COCKFIELD, LLP 28 State Street, Boston, Massachusetts 02109 Telephone: (617) 227-7400 Facsimile: (617) 742-4214</p>	

# FAX TRANSMISSION

DATE: June 8, 2004

PTO IDENTIFIER: Application Number 10/779,073-Conf. #4526  
Patent Number

Inventor: Reynolds E. MOULTON, III

MESSAGE TO: Office of Initial Patent Examination

FAX NUMBER: (703) 872-9306

FROM: LAHIVE & COCKFIELD, LLP  
David J. Rikkers

PHONE: (617) 227-7400

Attorney Dkt. #: DGP-005

PAGES (Including Cover Sheet): 11

CONTENTS: Part 2 Copy of Notice (2 pages);  
Fee Transmittal, in duplicate (2 pages);  
Response to Notice to File Missing Parts of Application (2 pages); and  
Combined Declaration and Power of Attorney (4 pages).  
Charge \$65.00 to deposit account 12-0080.

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.

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LAHIVE & COCKFIELD, LLP  
28 State Street, Boston, Massachusetts 02109  
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

00959  
LAHIVE & COCKFIELD, LLP.  
28 STATE STREET  
BOSTON, MA 02109

## FORMALITIES LETTER



Date Mailed: 05/10/2004

**FILED UNDER 37 CFR 1.53(b)**

**Filing Date Granted**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**Total additional fee(s) required for this application is \$65 for a Small Entity**

- **\$65 Late oath or declaration Surcharge.**

**Replies should be mailed to:** Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

# COPY

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/329 (10-03)

Approved for use through 7/3/2008, OMB 0331-0002  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004		Complete if Known	
<i>Effective 10/01/2003, Patent fees are subject to annual revision.</i>		Application Number	10/777,073-Conf #4526
		Filing Date	February 4, 2004
		First Named Inventor	Keynolds E. MOULTON, III
		Examiner Name	Not Yet Assigned
		Art Unit	N/A
		Attorney Docket No.	DGP 005
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.21			
TOTAL AMOUNT OF PAYMENT		(5)	65.00

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																					
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES																																																																																																																					
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 12-0080 Deposit Account Name: Lahive & Cockfield, LLP The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayment <input type="checkbox"/> Charge any overpayment fee(s) in any overpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code (5)</th> <th>Small Entity Fee Code (5)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>120</td><td>1051 63 Surcharge - late filing fee in weeks</td><td>65.00</td></tr> <tr><td>1052</td><td>50</td><td>1052 23 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053 130 Non-English specification</td><td></td></tr> <tr><td>1819</td><td>2,520</td><td>1819 2,520 For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1806</td><td>920*</td><td>1806 920* Requesting publication of SIF prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,400*</td><td>1805 1,400* Requesting publication or SIF after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>1251 55 Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>1252 210 Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>1253 475 Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>1254 740 Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>1255 1,005 Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>110</td><td>1401 165 Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>1402 165 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>1403 145 Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,310</td><td>1451 1,310 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>1452 33 Petition to revise - 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Name (Print/Type)	David J. Ridders	Registration No. (if known/assigned)	43,882																																																																																																																				
Signature	<i>David J. Ridders</i>	Telephone	(617) 227-7400																																																																																																																				
		Date	June 3, 2004																																																																																																																				

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.

Dated: June 3, 2004

Signature:

(David J. Ridders)



Application No.: 10/72,073

Docket No.: DGP-005

hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. DGP-005. Applicants request any extensions of time necessary to respond.

Dated: June 3, 2004

Respectfully submitted,

By 

David J. Ridders

Registration No.: 43,882

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, Massachusetts 02109

(617) 227-7400

(617) 742 1214 (Fax)

Attorney/Agent For Applicant

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.

Dated: June 3, 2004

Signature: *David J. Rikkers*

(David J. Rikkers)

Docket No.: DGP-005  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Reynolds E. Moulton, III

Application No. 10/772,073

Confirmation No.: 4526

Filed: February 4, 2004

Art Unit: N/A

For: SELF-PROPELLED PET TOY

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted mailed May 10, 2004, Applicant respectfully submits a Combined Declaration and Power of Attorney and Part 2 Copy of Notice.

Please charge our Deposit Account No. 12-00080 in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(e). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper

DAVID J. RIKKERS  
direct dial: 617 856-8382  
drikkers@brownrudnick.com

October 12, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE: U.S. Application Serial No. 10/772,073  
Filed: February 4, 2004  
Applicant: Reynolds E. Moulton, III  
Our Ref. No.: 21548/5

\*\*\*\*\*  
CERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being  
Facsimile transmitted to: 1-703-872-9306, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By:

*Elaine E. Fabrizio*  
Elaine E. Fabrizio

October 12, 2004

Date  
\*\*\*\*\*

Dear Madam/Sir:

Enclosed please find an executed Revocation of Previous Power of Attorney (1 pg). A  
Change of Correspondence Address form is also enclosed.

If you have any questions, please call David J. Rikkers at (617) 856-8382. Thank you for  
your assistance.

Sincerely,

BROWN RUDNICK BERLACK ISRAELS LLP

By:

*David J. Rikkers*  
David J. Rikkers, Esq. (Reg. No. 43,882)  
One Financial Center  
Boston, MA 02111  
Tel: 617-856-8382  
Fax: 617-856-8201  
Customer No. 21710

DJR/eef  
Attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
POWER OF ATTORNEY (and REVOCATION OF PREVIOUS POWER OF ATTORNEY)

Docket No. 21548/5

Application No.: 10/772,073  
Filing Date: February 4, 2004  
Entitled: SELF-PROPELLED PET TOY

Owner: Dogmatic Pet Products, Inc.  
Address: 158 Summit Street  
Brooklyn, NY 11231  
US

TO THE COMMISSIONER FOR PATENTS

Honorable Sir:

I hereby appoint:

Brian L. Michaelis Reg. No. 34,221  
Mark S. Leonardo Reg. No. 41,443  
David D. Lowry Reg. No. 38,538  
Peter B. Sorell Reg. No. 44,349  
Damon A. Treitler Reg. No. 48,377

Joseph P. Quinn Reg. No. 45,029  
Thomas M. Saunders Reg. No. 29,585  
John C. Serio Reg. No. 39,023  
Mark A. Hofer, Reg. No. 30,068  
David J. Rikkers, Reg. No. 43,882

All of the firm:

Brown Rudnick Berlack Israels LLP  
One Financial Center  
BOX 1P  
Boston MA 02111

as principal attorneys to prosecute this application, to transact all business in the Patent and Trademark Office connected with the above-referenced patent application. Applicant hereby revokes all previous powers of attorney associated with this application. Kindly note that the address of the owner has been changed.

Please direct all future correspondence to:

David J. Rikkers  
Brown Rudnick Berlack Israels LLP  
One Financial Center  
Boston MA 02111

Dogmatic Pet Products, Inc.

By: Reynolds E. Moulton, III

Name: Reynolds E. Moulton, III

Dated: 9.22.04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Reynolds E. Moulton, III Confirmation No.: 4526  
SERIAL NO.: 10/772,073 Art Unit No.: 3643  
FILED: February 4, 2004 Examiner: Not Yet Assigned  
FOR: SELF-PROPELLED PET TOY

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Facsimile transmitted to: 1-703-872-9306, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By: Elaine E. Fabrizio  
Elaine E. Fabrizio

Date: October 12, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

CHANGE OF CORRESPONDENCE ADDRESS

Sir:

Please send all future correspondence for this application to:

David J. Rikkers, Esq.  
Brown Rudnick Berlack Israels LLP  
One Financial Center  
Boston, MA 02111

Please direct all telephone calls to:

David J. Rikkers, Esq.  
(617) 856-8382

A Revocation of Previous Power of Attorney is also enclosed with this form.

Respectfully submitted,

David J. Rikkers  
David J. Rikkers, Esq., Reg. No. 43,382  
Attorney for Applicant(s)  
Customer No. 21710  
BROWN RUDNICK BERLACK ISRAELS LLP  
One Financial Center  
Boston, MA 02111  
(617) 856-8382

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